

**Amendments to the Claims**

Claim 1 (Currently Amended): An isolated polynucleotide comprising a polynucleotide having at least 95% sequence identity to a polynucleotide selected from SEQ ID NO: 5, SEQ ID NO: 10, and SEQ ID NO: 22, wherein the polynucleotide encodes a polypeptide having fumonisin degrading activity.

Claim 2 (Currently Amended): A recombinant expression cassette comprising a polynucleotide having at least 95% sequence identity to a polynucleotide selected from SEQ ID NO: 5, SEQ ID NO: 10, and SEQ ID NO: 22, wherein the polynucleotide encodes a polypeptide having fumonisin degrading activity.

Claim 3 (Currently Amended): A vector comprising a recombinant expression cassette comprising a polynucleotide having at least 95% sequence identity to a polynucleotide selected from SEQ ID NO: 5, SEQ ID NO: 10, and SEQ ID NO: 22, wherein the polynucleotide encodes a polypeptide having fumonisin degrading activity.

Claim 4 (Currently Amended): A host cell comprising a recombinant expression cassette comprising a polynucleotide having at least 95% sequence identity to a polynucleotide selected from SEQ ID NO: 5, SEQ ID NO: 10, and SEQ ID NO: 22, wherein the polynucleotide encodes a polypeptide having fumonisin degrading activity.

Claim 5 (Previously Presented): The host cell of claim 4 wherein the cell is a plant cell.

Claim 6 (Currently Amended): The host cell of claim 5 wherein the plant cell is from a plant selected from the group consisting of: maize, sorghum, wheat, tomato, soybean, alfalfa, sunflower, canola, cotton, and rice.

Claims 7-9 (Cancelled)

Claim 10 (Currently Amended): A method of making an APAO enzyme comprising the steps of:

- a) expressing a polynucleotide operably linked to a promoter in a recombinantly engineered cell, wherein the polynucleotide has at least 95% sequence identity to a polynucleotide selected from SEQ ID NO: 5, SEQ ID NO: 10, and SEQ ID NO: 22, wherein the polynucleotide encodes a polypeptide having fumonisin degrading activity; and
- b) isolating and purifying the enzyme.

Claims 11-22 (Cancelled)